



ATTACHMENT A

REMARKS

In response to the Restriction Requirement dated June 30, 2006, Applicants herein traverse the requirement as follows.

In the Restriction Requirement, the Examiner correctly indicated that the standard used in assessing the question of the restriction was the Lack of Unity standard of the PCT. However, the Examiner also indicated that there was no Unity because the purported unifying subject matter was disclosed in the prior art, citing U.S. Pat. No. 6,287,874. While Applicants will present more detailed remarks if necessary should this patent be cited in a rejection, this patent is directed towards a complex system of analyzing protein binding events using dielectric properties, and particularly involves a molecular binding region which is electromagnetically coupled to a portion of a signal path which can be operated to support a signal propagated at one or more frequencies in the range from 10 MHz to 1000 GHz. This system needs to employ a transmission line, ground element, and a dielectric layer interposed between the transmission line and the ground element. In short, the '874 patent does not disclose or suggest the present invention wherein the sequences of peptides that can bind with a target inorganic material are obtained. In this regard, this linking element of the claims is not in the prior art and thus the claims do not lack unity and should not be subject to restriction.

Applicants thus submit that the claims of the present application should be examined in their entirety.

In addition, it is noted that Claims 1-8, 19 and 32 are strongly related and should be examined together. In this regard, Claims 1-8 and 19 were considered part of the same group during the PCT as noted in the International Search Report, and it is clear that Claim 32 relating to identifying peptides should also be examined along with the method of identifying peptides as in Claim 1. At minimum, Claims 1-8, 19 and 32 should be examined in the same application.

Without prejudice to the foregoing arguments, and solely for the purpose of completing the response, Applicants herein provisionally elect Group 1, Claims 1-8, with traverse as set forth above.

Based on the foregoing, Applicants respectfully request that the election requirement be withdrawn, and that the full set of claims in the present application be examined at this time.

END OF REMARKS